

**STATE ADVISORY COUNCIL ON THE EDUCATION
OF CHILDREN WITH DISABILITIES**

**April 25, 2003
Embassy Suites North
Indianapolis, Indiana**

APPROVED MINUTES

ADVISORY COUNCIL MEMBERS PRESENT: (*new members)

David Schmidt (Chairperson), Kyle Aldridge*, Gary Bates, Craig Bell*, Rose Black, Brett Bollinger, Steve Cook*, Lanier DeGrella, Cynthia Diamond*, Marti Farris*, Jim Hammond*, Carolyn Heier, Bessie Henson*, Terry Huser, Marcia Johnson, Brian Ketzner*, Mary Ramos, Elaine Scaife, Cheryl Shearer, Julie Swaim, Jane Swiss*, Glenn Tebbe*, Stephen Tilden*

ADVISORY COUNCIL MEMBERS ABSENT:

Cathlene Hardy Hansen, Becky Kirk, Bret Lewis

DOE STAFF PRESENT:

Bob Marra, Paul Ash, Becky Bowman

OTHERS PRESENT:

Tom Doyle (MSD Pike Township), Larry Galyen (MSD Pike Township),
Julia Prather (West Central Joint Services)

ISEAS PROJECT:

Gary Collings, Susie Thacker

David Schmidt called the meeting to order at 10:00 AM. He announced that the meeting was open to the public, but it was not a public meeting. Non-members may only address the council through a member.

Introductions of new members were made.¹

Minutes from the November 15, 2002 meeting were reviewed. **MOTION: A motion to approve the November 15, 2002 minutes as written was made by Marcia Johnson and seconded by Terry Huser. There was no discussion and the minutes were unanimously approved.**

**WEST CENTRAL JOINT SERVICES REORGANIZATION AND COMPREHENSIVE PLAN REVIEW:
*MSD of Pike Township:***

¹ Prior to the meeting, Becky Bowman conducted a training session for 11 new members of the Council. Bob Marra, Paul Ash, David Schmidt, and Julie Swaim were also in attendance. Notebooks were distributed and the notebook contents were reviewed.

New members were also briefed on: (1) the authorizing statute for the Advisory Council; (2) responsibilities of the Division of Exceptional Learners, (3) the role and activities of the Advisory Council, and (4) IDEA 97 and state Article 7.

Bob Marra introduced Larry Galyen, Acting Superintendent of MSD of Pike Township Schools who, after a few brief remarks, introduced Tom Doyle, Director of Special Education for MSD of Pike Township. Tom Doyle presented Pike Township's comprehensive plan to become a single corporation planning district. He explained that Pike has grown into an economically and racially diverse school district with nearly 10,000 students and currently 1,800 plus students with disabilities.

Pike has embarked on a two-year phase out plan from West Central Joint Services. Pike will take over early childhood on July 1, 2003 and will formally withdraw from West Central and take over all other remaining programs and services on July 1, 2004. Doyle explained the support and direct services his district receives from West Central. He noted Pike is the fiscal agent for the Individualized Curriculum and Assessment Notebook (ICAN) Project. He emphasized the corporation already has considerable infrastructure in place along with the current employment of the majority of teaching personnel. The corporation has recently employed a preschool coordinator to work with 9 sections of early childhood programs. Five sections will be on the traditional schedule and four sections will be on a year round schedule. The following year the corporation will need to hire one additional SLP, OT, and PT in addition to those staff being hired in 2003-04.

The corporation will be working on expanding a therapeutic program for students with emotional disabilities. Pike will collaborate on a day treatment program with MSD Washington and Lawrence Townships through a mental health agency, BehaviorCorp. The program will be a 45-day intensive program in a space yet to be selected within the corporation.

The following are questions raised by the Council and Tom Doyle's and Larry Galyen's responses:

Swaim: How many parents of special education students are involved?

Doyle: Pike Township has a parent group that meets intermittently. Doyle is also working with IN*SOURCE on a future forum. To date, he has only worked with many of the parents of preschool students for next year's transition. The preschool coordinator has on-going dialogue with the parents. Next year, they will focus on parents of students with VI, HI, OH, and ED.

Swaim: Will one teacher of HI be sufficient with the diverse methodology needs and equipment?

Doyle: Pike is currently served by a 4/5 teacher of HI from West Central.

Tilden: How will students of special needs be served at the same ratio as they now are served at West Central?

Doyle: Behavior is a perplexing problem and there is no perfect approach. The proposed day treatment for elementary and middle school students is a model that has been successful in Lawrence and Washington Townships. Pike will be adding a behavior consultant this coming year to assist in developing this program.

DeGrella: Where will the community based preschool program be?

Doyle: The program at Bethel is the starting point and will be an integrated program.

Johnson: Will there be very little relocation of students?

Doyle: Yes.

Swaim: How will Pike get its new HI teachers trained in the oral methodology since there are no universities in the state doing such training.

Doyle: Our focus this year has been preschool and next year the emphasis will be on HI as well as VI and OI students.

Galyen: The corporation is also looking at adding an assistant director.

Black: What will be your biggest challenges in breaking off from West Central?

Doyle: The biggest challenges will be HI and the day treatment programs. West Central has been very supportive of our transition of the early childhood programs. Also, the overall implementation of IDEA.

Black: Describe the parent group.

Doyle: The model was developed with a parent who moved to Zionsville. The group is a corporation one, not one of West Central's.

Black: Will the VI collaboration work with IPS, which already has a shortage of staff?

Doyle: Yes, from the IPS director's viewpoint. But, if not, Pike will work out another arrangement.

Tebbe: What is the arrangement with non-public schools?

Doyle: We only have two non-public schools, and we do what is expected under the regulations. There are only four students receiving speech and one student for OT. Pike has 13-15 resident students (LD=2, Speech=11+) who attend a non-public school in Washington Township from which Pike transports to one of its schools for services.

Tebbe: How are referrals from non-public schools processed?

Doyle: They are processed in the same system within the 60 day time limit. The students are generally brought to the corporation for an evaluation, but if necessary the psychologist can go to the non-public school.

Bollinger: Are the transition services through Noble?

Doyle: The job coaches are employed by the corporation. The Noble employees assist the Pike staff in making the transition.

Cook: What is a behavior consultant?

Doyle: The person will enhance their services by being in the corporation full time to:

- help with functional behavioral assessments,
- teach how to chart behavior and effectively address behaviors, and
- work on developing the day treatment program.

The new position was approved at the April 24 Pike board meeting.

Henson: For those children who receive waiver service, will there be a coordinator?

Doyle: We are already working collaboratively with waiver service providers. We routinely work with various representatives in behalf of the state.

Henson: Does the Noble person train your job coaches?

Doyle: We have a coordinator of the school-to-work program plus the Noble consultant. They both train job coaches. The consultant with her DVR contacts really helps us with the graduates in transition. The high school department chairperson is also involved.

Hammond: How early do you begin planning transition and preserve choice among adult service providers?

Doyle: At 14 years we start the process and add the enhancement at 16 years. We do not have a lot of students staying until 21 years old. One of the reasons is that the students are involved in various community placements during his/her career.

Scaife: Will class size decrease or increase? What about the money?

Doyle: Every student will be taught by a Pike Teacher and class size is always a struggle in a growing corporation. We are working with IU on disproportionality and general curriculum. The agreement now is that 2/3 of federal funds pass from West Central to Pike. Next year, 5/6 of the federal funds will be passed through to Pike, which will allow it to add four to five teachers. Next year, West Central will keep Pike's share of its CSPD grant but will receive the full amount of the capacity sliver grant. Once the transition is complete in two years, Pike will receive all federal funds.

West Central Joint Services:

Julia Prather, currently Assistant Director of West Central Joint Services, presented its comprehensive plan. She explained that West Central has been in existence since 1970 and provides special education services to ten corporations. In the last few years, these corporations have all experienced growth. The cooperative had a student population base of 52,881 in September 2002. As of December 1, 2002 there were a total of 7,622 students receiving special education services.

The cooperative has evolved from a centralized segregated model to a home school focus with local corporations having a great deal of expertise and decision making for their own students. Each corporation now hires a local director or designee and the majority of its teachers. West Central provides administration and related services support. If necessary, corporations may do a tuition transfer. West Central provides consultation for Autism, TBI, VI, HI, and OI, including a total communication HI classroom, and an oral only HI classroom. Sign language interpreters are provided by the cooperative. The two VI teachers are also trained in orientation and mobility instruction. Two teachers have specialized training in autism and act as Acoaches® for the classroom teacher. West Central employs a coordinator for vocational education and transition services that works with all the high schools.

West Central operates Sanders School. It is the more restrictive environment that allows modification of behavior over varied time periods. West Central also operates the statewide Project and the Central Regional Site for the PATINS Project. Staff from this project coordinates and schedules activities related to assistive technology within the central Indiana region.

The West Central Director coordinates child count, grant applications, training activities, and meets monthly with local directors, including program coordinators. West Central has been cautious on how positions have been filled with RIF (reduction in force) implications. They believe they will have sufficient funds to maintain the services the superintendents board supports.

Following are questions raised by the Council and Julia Prather's and Tom Doyle's responses:

Cook: How many students in Sanders?

Prather: Ninety, with effort to stay below 100.

Cook: How will Pike address assistive technology needs of Pike?

Prather: West Central training has been to build capacity, and all member corporations, including Pike, have trained Assistive Technology Teams. Doyle said next year the SLP will be available two days a week to oversee the AT team activities.

Cook: Are any other member corporations considering such withdrawals?

Prather: None have indicated any such intent.

Aldridge: How are the interpreters trained?

Prather: As needed

Swaim: Will Pike have adequate coverage for HI students?

Prather: If Pike had remained, West Central may have needed to add an HI teacher.

Hammond: Will there be a future fiscal impact that will cause West Central to rethink its programs?

Prather: For the next couple of years they hope to hold the line. In the future, they would like to expand the concept of behavioral coaches.

Swaim: If Pike realizes the need for a specialized HI classroom, will it be able to purchase services?

Prather: The superintendents board has indicated no interest in a smorgasbord of buying or selling services.

Tilden: Are there any plans to move Sanders School to the day program model?

Prather: Discussions to date have been more of expanding Sanders School's outreach capacity. The school is seen as filling a critical need and an option that West Central wants to continue to offer. There is an initial interest in expanding the outreach that may include elements of the day program.

Schmidt: How many Pike students attend Sanders? How have parents received it?

Prather: Pike has five students there. Doyle has attended only two of their case conferences. Both parents expressed a desire to have students return to Pike.

Cook: Is there any relationship to the 45 days model and length of stay at Sanders?

Doyle: Students stay longer at Sanders. The day program is a different model that he expects to be effective but not necessarily better than Sanders. The model with mental health involvement is the one that seems compatible to their needs.

Tebbe: What types of services does West Central provide to non-public schools.

Prather: West Central has provided assistive technology and itinerant HI services at the non-public schools. The participating member corporations provided the bulk of services as needed.

Black: What are the phases and the comprehensive plan revisions?

Doyle: Doyle said he, Julia Prather, and Shirley Amond, West Central Director, reached agreements that were submitted to the Superintendents Governing Board and were ratified at the December 2002 board meeting. (See pages 7-8 of the submitted comprehensive plan.)

MOTION: Marcia Johnson moved to approve the MSD Pike Township and West Central Joint Services comprehensive plans and the phase-in of the two year separation. Terry Huser seconded. After a show of hands, the motion was passed with 20 approving and 2 opposing.

Julia Swaim asked whether there would be a review in a year. Schmidt felt assured that the plan was mutually agreed upon, and it was not a hostile proposal. Swaim thought there was insufficient parent input. Bollinger noted there did not seem to be contention between the parties, and he would defer to the Division as monitors.

MOTION: Marcia Johnson moved that prior to 2004-05 the Division of Exceptional Learners would come back with a more specific report of how MSD Pike Township will

implement HI, VI, and OI. The motion was seconded by Steve Tilden and was unanimously approved.

STATUS REPORT ON EAST NOBLE:

Bob Marra provided a data analysis of the corporation's incidence rate compared to state statistics, including graduation, drop-out, suspension, expulsion, and percentage rates of completing referrals within the 60 days or at the three years for early childhood. The corporation has had one complaint in each of the past two years and no due process hearings to date. The corporation has five teachers (16%) on limited license. ISTEP passing percentages were presented. A member asked for comparison of pre- and post-data along with cooperative data prior to the reorganization to be available for review at a future meeting.

STATUS REPORT ON INDIANAPOLIS CHARTER SCHOOLS:

Indianapolis Charter Special Services is currently composed of four charter schools with 599 total students and 40 special education students (14 LD, 16 CD, 8 MiMH, 1 Autism, 1 OHI).

Division staff recently completed a program review by invitation and a report is being prepared. The management team has been working on deficiencies. In February 2002 the director resigned and Gerry Wagner was hired as a consultant. Marra anticipates the Indianapolis charter is expected to join the Ball State University Virtual Cooperative with a single director of special education. Since the approval of the Indianapolis Charter was only for one year, Marra anticipates a revised comprehensive plan including both Indianapolis and Ball State University will be filed at the June 20, 2003 meeting. There will be five new charters opening in the future.

In reply to a question about the Signature Learning Center in Evansville, Marra reported that legal counsel confirmed the previously postponed language would not have been allowable for a case conference committee to seek other placements as necessary if not available in the sponsoring corporation.

PRESENTATION ON NO CHILD LEFT BEHIND:

Bob Marra presented a handout and overview of No Child Left Behind and Indiana's P.L. 221. He discussed the challenges for including students with disabilities as well as Indiana's alignment with NCLB and its stipulations for highly qualified teachers and paraprofessionals. The IDEA reauthorization will likely incorporate these provisions and hopefully include necessary clarifications and guidance, such as:

- defining persistently dangerous
- timelines of phasing in additional assessments
- assessment reports and school progress categories
- determination of Adequate Yearly Progress

In December 2002, the USDOE officials said children with severe disabilities had to be assessed on grade level academic standards. He responded to federal officials that he did not know how to comply. All students were put into ISTEP even though their non-proficiency would have counted against the school. The federal government said they would have regulations out in February or March, which did not happen. Therefore, the state board of education removed Section 6.d. regarding testing of significantly cognitively impaired.

In the proposed regulations, students with severe cognitive disabilities (i.e., 3 or more standard deviations below the mean in cognitive and adaptive functioning) may be assessed against alternate academic achievement standards. The proposed regulations limit the number of students assessed against the alternate academic achievement standards to 1% of the number of students in all grades assessed. Bob has challenged the federal officials that this provision cuts across disabilities beyond severe disabilities. The Department of Education is working with an Indiana senator's staff member to provide data and alternate assessment information. Otherwise, to hold students with significant impairments to grade level standards would eliminate the necessity for an alternate assessment and is inconsistent with the reason for special education. The MiMH child would still have to take the grade level assessments.

In reply to a question, Paul Ash reported that AStraight Talk® is being revised. Swaim advocated for inclusion of early elementary provisions about how parent decisions regarding assessments, etc. will have implications for transition and graduation.

At the tenth grade level, if the case conference committee determines the special education student does not need to take the ISTEP, he/she only had to take it once for purposes of diploma appeals. Jane Swiss spoke to the contradiction in student assessments requirements and teacher education waivers under Praxis I and II.

DIVISION UPDATE:

Child Count: Marra reviewed the December 1, 2002 child count analysis. He also briefed members on reauthorization of IDEA from the House version (H.R. 1350). He highlighted funding, discipline, and vouchers as major issues.

Independent Hearing Officer Policies and Procedures: Bowman reported that new Independent Hearing Officer (IHO) policies and procedures are finalized. The policies and procedures establish: minimum qualifications, criteria to retain IHOs, compensation schedule, record keeping, training requirements, annual evaluations, universal billing form, and an Indiana residency requirement.

Extended School Year Guidelines: Bowman reported that the Extended School Year (ESY) Guidelines were developed and field tested. The ICASE Executive Committee has reviewed and accepted the guidelines. The Division does not have authority to set standards without rules being promulgated into Article 7.

Visual Impairment Training Program: The first public institution VI training program through a Ball State University/Indiana State University consortium has been approved and is underway. The first group should be graduated in 2004.

Continuous Improvement Monitoring: The Division is working with districts to electronically provide data at intervals during the school year. The reports will be customized around targeted performance indicators.

NEXT MEETING:

June 20, 2003 (9:30 AM) at a location yet to be determined.

MOTION TO ADJOURN:

The meeting was adjourned by consensus.